

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**In Re: National Hockey League
Players' Concussion Injury
Litigation**

MDL No. 14-2551 (SRN)

This Document Relates to All Actions

PRETRIAL ORDER NO. 4

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SUSAN RICHARD NELSON, United States District Court Judge

The Judicial Panel on Multidistrict Litigation has transferred actions in the above-captioned matter to this Court for coordinated and consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407 as part of nationwide concussion injury litigation involving the National Hockey League. (Transfer Order [Doc. No. 1].) On November 6, 2014, the parties appeared before this Court for a status conference. This Order memorializes the parties' agreements and the Court's rulings at the November status conference.

I. Status of Original Complaints and Defendant's Responses

The parties agreed that Defendant's response to the Master Administrative Complaint will stay the need for Defendant to file pleadings or motions in response to the original complaints.

Defendant plans to file motions to dismiss by November 18, 2014. Plaintiffs' opposition briefing shall be due on December 9, 2014, and any reply memoranda shall be

due on December 23, 2014. The Court will entertain oral argument on such motion(s) at the January 8, 2015 status conference. Upon Defendant's oral motion for a word extension with respect to these motions, the Court granted Defendant's request. The word count for each motion, including a reply memorandum, shall not exceed 15,000 words. The 15,000-word limit likewise applies to each of Plaintiffs' responsive memoranda.

II. Short Form Complaint

Counsel shall meet and confer prior to the December 18, 2014 status conference concerning an alternative to a short form complaint to allow active class members to participate in this case.

III. Time-Reporting Obligations

Defendant shall not be required to submit monthly time and expense documentation to the Court at this time. Plaintiffs shall submit to the Court, *ex parte*, their attorneys' time and expenses on a monthly basis, including information coded to reflect the general nature of the work performed. Plaintiffs agreed to provide the Court their proposed codes and, subject to the Court's approval of the codes, Plaintiffs shall submit their first time and expense report by November 30, 2014 and every month thereafter.

IV. Status Conference Agendas

Counsel shall submit a preliminary proposed status conference agenda at least **10 days prior** to all status conferences. Counsel shall submit a finalized proposed status conference agenda no later than **5 days prior** to all status conferences.

V. Case Management Order

Counsel shall submit a Proposed Case Management Order and related Orders to the Court by December 4, 2014, identifying any differences in the parties' positions.

VI. Next Status Conference

The next status conference will be held on **December 18, 2014** at 2:00 p.m.

Dated: November 7, 2014

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Court Judge